

01-08-02

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# UNITED STATES CONTINUING UTILITY PATENT APPLICATION

under 37 C.F.R. § 1.53(b)

EL 728371734US

Atty. Docket No. 04163-00120

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10: The undersigned hereby certifies that this United States Patent Application and all papers noted herein as being attached, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 today, **November 1, 2001**, and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

By

Express Mail Label No.: EL 728371734 US

JC926 U.S. PTO  
10/039935  
11/01/01

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Enclosed herewith is a continuing patent application and the following papers:

Inventor (or application identifier): **Robert Eric Montgomery**

Title of Invention: **TOOTH BLEACHING COMPOSITIONS**

## Continuation

- ☐ Divisional  
☐ Continuation-in-Part

of prior application No. 09/054,156, filed April 2, 1998.

1. ☒ Specification 21 pages (including specification, claims, abstract) / 25 claims (6 independent), after entry of the Preliminary Amendment.
2. ☒ Declaration/Power of Attorney:
  - ☒ Copy from Prior Application (for continuation or divisional application)
  - ☐ Newly Executed Declaration (for CIP application)
  - ☐ Deferred under 37 C.F.R. § 1.53(f)
  - ☐ Deletion of Inventor(s) - Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b)
  - ☒ Incorporation by Reference - The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein
3. ☒ This application has no drawings.
4. ☒ Preliminary Amendment is enclosed.

10039935-110101

jc784 U.S. PTO  
11/01/01  
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- Amend the specification by inserting before the first line the sentence --This application is a continuation of U.S. Patent Application No. 09/054,156, filed April 2, 1998; which in turn is a divisional of U.S. Patent Application No. 08/719,569, filed September 25, 1996, now U.S. Patent No. 5,922,307; which claims priority from U.S. provisional Application No. 60/004,258, filed September 25, 1995; each of which are hereby incorporated herein by reference.--

5. ■ Information Disclosure Statement

- A copy of form 1449 from the prior application
- A copy of each cited prior art reference

6. ■ Assignment

- Assignment with Cover Sheet attached
- Assignment filed in prior application USSN 08/719,569, now U.S. Patent 5,922,307. Application assigned to: **R. Eric Montgomery and Idex Dental Sciences, Inc.**, both of Monterey, MA

7. ■ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s) (provisional and foreign applications):

Country	Application Number	Date of Filing (day, month, year)
U.S.	60/004,258	25 SEPT 1995

8. ■ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)
U.S.	09/054,156	02 APRIL 1998
U.S.	08/719,569	25 SEPT 1996

9. □ Priority document(s)

10. □ Small Entity Statement

- Small Entity Statement was filed in prior application. Small Entity Status is still proper and desired
- Small Entity status is being claimed hereby.
- is no longer claimed

11. □ Nucleotide and/or Amino Acid Sequence Submission

- Computer Readable Copy
- Paper Copy (identical to computer copy)
- Statement verifying identity of above copies

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12. Calculation of Fees:

FEES FOR	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))			\$740.00
Total Claims in Excess of 20 (37 C.F.R. § 1.16(c))	5	18.00	\$90.00
Independent Claims in Excess of 3 (37 C.F.R. § 1.16(b))	3	84.00	\$252.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	0	280.00	\$0.00
Subtotal - Filing Fee Due			\$1,082.00
	MULTIPLY BY		
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	0.50		\$0.00
<b>TOTAL FILING FEE DUE</b>			<b>\$1,082.00</b>
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))	0	40.00	\$0.00
<b>GRAND TOTAL DUE</b>			<b>\$1,082.00</b>

13. PAYMENT is:

- ☒ The Commissioner is authorized to debit the instant filing fee, in the amount of \$1,082.00, and any other fees during the pendency of this application under 37 C.F.R. §§ 1.16, 1.17 and 1.18, to Deposit Account No. 19-0733. A duplicate copy of this letter is enclosed.
- ☐ not included, but deferred under 37 C.F.R. § 1.53(f)

14. All correspondence for the attached application should be directed to:

John P. Iwanicki  
BANNER & WITCOFF, LTD.  
28 State Street, 28th Floor  
Boston, MA 02109  
Telephone: (617) 227-7111  
Facsimile: (617) 227-4399

15. Other \_\_\_\_\_

Date: November 1, 2001

By:   
John P. Iwanicki  
Reg. No. 34,628

JPI/JSB/lh  
Enclosures